

The Appellate Strategist

INSIGHTS ON APPELLATE ISSUES, TRIAL CONSULTATIONS, AND EVALUATING APPEALS

[Illinois Supreme Court Allows Petitions for Leave to Appeal in Eight New Civil Cases](#)

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Last week, the Illinois Supreme Court [allowed petitions for leave to appeal](#) in eight new civil cases. They are:

- ***Sheffler v. Commonwealth Edison Co.***, 399 Ill.App.3d 51 (1st Dist., 2010), which involves the question of whether a complaint seeking injunctive and damages relief in connection with defendant's alleged failure to give priority, in restoring power after storms, to customers dependent on electric life support system, fell within the exclusive jurisdiction of the Illinois Commerce Commission;
- ***Genius v. County of Cook***, 398 Ill.App.3d 321 (1st Dist 2010), which involves the question of whether the Cook County Employee Appeals Board had jurisdiction to decide disciplinary charges against officer based upon abolished rules;
- ***Italia Foods, Inc. v. Sun Tours***, 399 Ill.App.3d 1038 (2nd Dist., 2010), which involves the question of whether federal Telephone Consumer Protection Act required that Illinois legislature enact enabling legislation before private claims under the TCPA could be heard in state courts;
- ***Board of Education of Auburn Community Unit School Dist. No. 10 v. Illinois Department of Revenue***, 398 Ill.App.3d 629 (4th Dist. 2010), which involves the question of whether the Property Tax Extension Limitation Law applied to all portions of a community unit school district following annexation of territory in a separate county which had not opted into PTELL;
- ***Vincent v. Alden-Park Strathmoor, Inc.***, 399 Ill.App.3d 1102 (2nd Dist. 2010), which involves the question of whether a claim for common law punitive damages pursuant to the Nursing Home Care Act survives the death of the patient;
- ***Palm v. 2800 Lake Shore Drive Condominium Association***, 401 Ill.App.3d 868 (1st Dist. 2010), which involves the question of whether provisions of the Chicago Condominium Ordinance requiring production of documents were preempted by purportedly conflicting Illinois state law;
- ***A.B.A.T.E. of Illinois, Inc. v. Giannoulis***, 401 Ill.App.3d 326 (4th Dist. 2010), which involves the question of whether statute permitting the transfer of funds from the Cycle Rider Safety Training Fund to the General Revenue Fund violated the takings clause of either the federal or state constitutions; and
- ***Phoenix Insurance Co. v. Rosen***, [Rule 23 Order] (1st Dist. 2010), which involves the question of whether the provision permitting trial *de novo* following arbitration was void and unenforceable pursuant to public policy.